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March 8, 2019

VIA ECF

Magistrate Judge Steven L. Tiscione
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Janine Linton v. Frontier Airlines, Inc.
Index No.: 18 CV 00044
CF File: 16489/122476

Dear Judge Tiscione:

We represent the Defendant in the referenced action and write on behalf of both parties to provide Your Honor with a status report pursuant to Your Honor's instructions set forth in the Minute Entry for the Status Conference held on 1/8/19. We also write to request an extension of time to complete expert discovery.

Plaintiff has provided narrative reports for a plastic surgeon expert and an aviation safety expert. Formal Rule 26 disclosures for both experts will be provided by Plaintiff's counsel shortly. Defendant has served a Rule 26 Expert Disclosure for its medical expert, but requires additional time to provide an expert disclosure for its own aviation safety expert. As noted during the last status conference, Defendant had not anticipated the need for an aviation safety expert until Plaintiff's new counsel advised that such an expert would be retained by Plaintiff in this matter. Additionally, Defendant has advised Plaintiff's counsel that it will seek the deposition of Plaintiff's aviation safety expert, who resides in Canada. Defendant's aviation safety expert also resides out-of-state.

The current discovery deadlines require the parties to complete expert depositions by 4/5/19; complete all discovery by 4/12/19; and begin dispositive motion practice on or before 5/10/19. The parties respectfully request that the aforementioned deadlines be changed to the following:

Plaintiff to provide formal Rule 26 Disclosures on or before 3/29/19:

Roseland

Jersey City

Newark

New York

Cherry Hill

Philadelphia

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Defendant to serve a Rule 26 Disclosure for its aviation safety expert by 3/29/19;

Expert depositions to be completed on or before 5/17/19;

All discovery to be completed by 5/24/19;

Parties to begin dispositive motion practice on or before 5/31/19.

The parties are requesting additional time for the completion of expert depositions since their respective aviation experts both reside out-of-state. Additionally counsel for Defendant already have a trial scheduled in early April which will likely impact scheduling as well. There have been extensions previously granted for expert discovery, both to Plaintiff's prior and current counsel. This is the first request made by counsel for Defendant for an extension of time on expert discovery and Plaintiff consents to this request.

Your Honor's consideration of this request is greatly appreciated.

Respectfully,



Michael Bojbasa

MB/dzc

cc: **VIA ECF**
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